

REMARKS

Claim 1 has been canceled without prejudice or disclaimer of its subject matter and claims 2 through 23 have been newly added by this Amendment. Thus, claims 2 through 23 are pending in this application.

Claim 1 has been objected to under 35 USC § 112 for the reasons stated in section 1 on page 2 of the Office Action and claim 1 has been further rejected as being anticipated by Kupka *et al*, U.S. Patent No. 6,434,535 for the reasons stated in section 2 on pages 2-4 of the Office Action.

By this Amendment, claim 1 has been canceled without prejudice or disclaimer of its subject matter and new claims 2-23 added. It is submitted that the new claims are patentable over the cited reference for the following reasons:

As correctly noted by the Examiner, claim 24 of Kupka *et al*. clearly recites that the vendor server **encrypts the electronic content prior to downloading** it to a piece of media. On the other hand, the present claims now clearly recite that the selected file is **downloaded in an unencrypted form and then encrypted prior to being stored in the memory**. It is **subsequently unencrypted prior to being transferred to the digital storage device**.

In view of the above, it is submitted the new claims 2 through 23 are patentable over Kupka *et al.*

No other issues remaining, reconsideration and favorable action upon all of the claims now present in the application is respectfully requested. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's undersigned attorney.

A fee of \$36.00 is incurred by the addition of two (2) total claims in excess of total 20. Applicant's check drawn to the order of Commissioner accompanies this Amendment. Should the check become lost, be deficient in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

Respectfully submitted,



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Folio: P55941
Date: 12/29/03
I.D.: REB/HZ